

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Bert Ernest Daby,

Petitioner,  
v.

ORDER  
Civil No. 05-1010(MJD/RLE)

Dean Mooney, Director  
of the Minnesota Sex  
Offender Program,

Respondent.

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The above-entitled matter comes before the Court upon the Defendant's objections to the Report and Recommendation of Chief United States Magistrate Judge Raymond L. Erickson dated January 27, 2006.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.1(c). Based on that review the Court ADOPTS the Report and Recommendation dated January 27, 2006.

IT IS HEREBY ORDERED that Petitioner's application for Habeas Relief under Title 28 U.S.C. § 2254 [Docket No. 1] is SUMMARILY DISMISSED.

Date: March 22, 2006

s / Michael J. Davis  
Michael J. Davis  
United States District Court